

CHAPTER NO. 554

HOUSE BILL NO. 674

By Representatives Lois DeBerry, Givens and Mr. Speaker Naifeh and Representatives Rinks, Hargrove, Williams, Arriola, McDonald, Kisber, Armstrong, Larry Turner, Patton, Ronnie Davis, Stulce, Sands, Davidson, Pinion, Sherry Jones, Lewis, Ridgeway, Bone, Robinson, Ferguson, Ford, Tindell, Eckles, West, Hood, Caldwell, Fraley, Brenda Turner, Odom, Miller, Briley, Rhinehart, White, McMillan, Fitzhugh, Maddox, Pruitt, Winningham, Chumney, Head, Ronnie Cole, Brown, Walker, Towns, Pleasant, Hargett, Montgomery, McCord, Walley, Cooper, David Davis, Baird, Roach, Sharp, McKee, Fowlkes, Mumpower, Bowers, Jackson, Todd, Brooks, Langster

Substituted for: Senate Bill No. 813

By Senators Crutchfield, Cooper, Harper, Crowe

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1, relative to create the Coordinated School Health Improvement Act of 1999.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, is amended by adding Sections 2 through 7 of this act as a new part.

SECTION 2. This act shall be known and may be cited as the "Coordinated School Health Improvement Act of 1999".

SECTION 3. (a) The Commissioner of Education, in consultation with the Department of Health and in accordance with its duties under Title 68, Chapter 1, Part 12, shall develop guidelines based on the federal centers for disease control and prevention model for the implementation of a coordinated school health program. It is the intent that these guidelines serve as a model for local education agencies in addressing the health needs of their students and improving student opportunities for academic achievement. Components of a coordinated school health program shall include, but not be limited to, health services, health education, school nutrition services, physical education, healthy school environment, school counseling, school psychological and social services, staff health and wellness, and family and community involvement to enhance student health. In formulating this program, the commissioner shall consider existing local school/local health departments and community collaborations to promote and support student health and wellness, as well as other state and local programs and initiatives in this area.

(b) In developing such guidelines and standards, the following components must be included, notwithstanding the fact that the centers for disease control model for the implementation of a coordinated school health program contains such requirements:

(1) The provisions of § 49-6-1005(a) and the Family Life Curriculum contained in Title 49, Chapter 6, Part 13, shall continue to be observed;

(2) A parent shall have the same right to exempt that parent's child from participation as provided for in Sections 49-6-1005(a) and 49-6-1303; and

(3) To the extent permitted by state or federal law, any aspect of family planning or contraception shall be governed by the provisions of Section 68-1-1205 and the policies set by the local boards of education.

SECTION 4. (a) Subject to available funding, the Department of Education shall establish a state grant program to assist local education agencies in implementing a coordinated school health program. In order to qualify for a coordinated school health grant, a local education agency shall submit a detailed plan of how the agency currently addresses the health needs of school children, who would serve as school health coordinator, and how the agency would use the state grant to augment what it is currently doing.

(b) The plan shall give priority to school health as a means to assist in meeting the education performance indicators of Section 49-1-211(a)(3). The plan shall be developed in accordance with the guidelines for a coordinated school health program developed by the Commissioner of Education. In developing the guidelines for the program, the commissioner is requested to consult with appropriate organizations involved in the areas of student health, health care, and fitness. The guidelines and any proposed forms for applications shall be offered to the Joint Oversight Committee on Education for review and comment. Copies of local education plans may be offered to the Joint Oversight Committee on Education for informational purposes. The goal of the grant program shall be to help the local education agencies establish a bona fide coordinated school health program that improves the overall health and wellness of students.

(c) The annual report on school health to the Governor and General Assembly required by Section 49-5-415(d) shall include information on progress toward the goal.

SECTION 5. (a) The amount in the grant program shall be limited to the amount appropriated and shall be available to local education agencies based on the guidelines developed by the Commissioner of Education.

(b) The amount that each local education agency is eligible to receive shall be subject to a local match, following the funding model set forth in Section 49-6-4302(c)(2).

(c) Any grants made to a local education agency shall be expended in addition to any funds already expended as school health programs. For this purpose, expenditures of components enumerated in Section 3 of this act for the 1998-1999 fiscal year shall be considered the base expenditure on school health, and any local education agency receiving grant funds shall maintain this base.

SECTION 6. (a) State grants are only for coordination and improvement of school health programs in accordance with the detailed plan submitted in accordance with Section 4 of this act.

(b) The Department of Education and the Department of Health shall coordinate existing school health programs, grants, and initiatives. To the extent possible in light of existing contracts and waiver requirements, funding, including TennCare funding, shall likewise be coordinated, and schools should be encouraged and permitted to perform health screening services under TennCare contracts.

SECTION 7. The use of grant funds shall be subject to audit by the Office of the Comptroller.

SECTION 8. The provisions of this act shall have no effect unless funds are appropriated in the General Appropriations Act to implement it.

SECTION 9. This act shall take effect upon becoming law, the public welfare requiring it.

PASSED: February 10, 2000

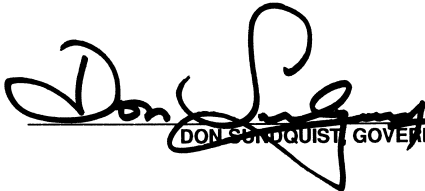


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of February 2000



DON SUNDQUIST, GOVERNOR